

DECLARATION OF DEVIN BRANCH

I, Devin Branch, declare the following under penalty of perjury pursuant to 28 U.S.C § 1746:

1. My name is Devin Branch. I am a coordinator for Black Voters Matter.

My Organization and the JXN Undivided Coalition

2. Black Voters Matter was founded around 2017. Its mission is to build electoral and political power for Black and marginalized communities.
3. My organization and I are members of the JXN Undivided Coalition.
4. The Coalition was founded to resist state encroachment and takeover of many of the rights and resources of residents of Jackson, Mississippi, which is a majority-Black and Black-led city, by the state of Mississippi and its lawmakers, who are majority-white. The Coalition stands for supporting—through protests, other direct-actions, and through community and legal engagement—the right to vote and the right of political self-determination for Jackson residents.
5. When I, my organization, and the JXN Undivided Coalition organize and participate in protests, we primarily protest in and beside places occupied by the state government, including on adjacent streets or sidewalks, so that our message may be seen and heard by Mississippi state officials. We also protest in such places so that the public will understand the protest is directed toward state officials.
6. We have demonstrated in small groups on sidewalks without permits and in larger groups in city streets when organizers had a City of Jackson permit.
7. Organizing and participating in expressive activities next to state government buildings is a means by which we attempt to educate lawmakers and members of the public around issues that impact Black and marginalized communities.
8. One of the primary ways we organize protests and other direct-actions in Mississippi is through creating digital flyers about the action and disseminating them through our organizational and personal social media networks. That is the most important way we transmit our message and protest plans to others. Before making an event public, we often first circulate draft digital flyers internally and to other key partner organizations which may be interested in co-sponsoring or supporting the event; if they are interested, we often add their logos to the flyers. As we co-develop the content of the actions, it is not unusual for organizers to circulate many revised drafts to co-organizers as additional descriptions and details are added. Selectively circulating draft digital flyers to potential co-organizers is the key tool we use to build cross-organizational support for an event. When there is consensus that the flyer is finalized and ready to be shared publicly, the broad base of co-organizers and supporters push out the digital flyer to their online networks. Flyer recipients in turn share our event flyers, and that is an effective way to

get the word out about our actions. This is how we reach individuals and other organizations that are likely to want to participate, support, or encourage others to learn more about our message, which in turn supports our broader work to build electoral and political power, and to organize our members and supporters towards actions, particularly in support of Black and marginalized communities in Jackson and Mississippi.

9. Unless otherwise noted, the information in this Declaration is about my political protest activities as an individual, as well as in my capacity as a member of my organization. Where the event was a JXN Undivided Coalition event, my organization and I were also participating as Coalition members.
10. Unless otherwise noted, my protest and direct-action activities listed here were undertaken in my individual capacity, in my organization's capacity, and/or in my and my organization's capacity as members of the JXN Undivided Coalition; however, for events taking place on or after January 31, 2023, they were undertaken in all of those capacities.

Past Protest Activity in and Around Places Known to be Occupied by Mississippi State Entities or Officials in Jackson, MS.

11. I have often in the past protested in and beside places occupied by Mississippi state entities or officials in Jackson, MS, and I plan to do so in the future. For example, I protested outside of the governor's mansion in response to the water crises on October 10, 2022 and October 31, 2022. These protests included marches through downtown Jackson, on sidewalks and streets adjacent to state-owned buildings and privately-owned buildings, which may or may not be occupied in part by state government entities or officials. They included a rally with speakers in front of the Governor's Mansion. I also joined the Coalition's demonstrations at the Capitol on January 31, 2023, February 27, 2023, and March 14, 2023, to support Jackson's right to political self-determination and oppose state government action to dilute the political power of Black voters.
12. Attached to this declaration as Exhibit A are selected flyers of protest and direct-action events that took place in and/or beside Mississippi state government buildings that I have organized and/or participated in, along with some relevant press articles. These include:
 - (1) Mississippi Moral Monday event on October 10, 2022;
 - (2) Mississippi Moral Monday event on October 31, 2022;
 - (3) Stop State Takeover of Jackson event on January 31, 2023;
 - (4) JXN Undivided Coalition event on February 27, 2023; and
 - (5) BVM event on March 14, 2023.
13. During these and other protests and direct-action events in and by Mississippi state government buildings, we have distributed physical flyers, held signs, hosted speakers, and coordinated to wear matching t-shirts with protest slogans.
14. During the above protests and direct-action events in and by Mississippi state government buildings, I have not personally witnessed any property damage or physical

violence or arrests allegedly arising from protester actions.

15. During the above protests and direct-action events in and by Mississippi state government buildings, I have not personally witnessed protesting groups in conflict due to wanting to use the same space at same time and having no way to resolve the issue.

Future Protest Activity in and Around Places Which Are or May Be Occupied by Mississippi State Entities or Officials in Jackson, MS.

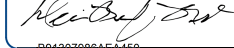
16. BVM plans to continue to protest on sidewalks and streets in Jackson, beside state government owned and occupied buildings, in the future, including during July of 2023. For example, BVM plans to protest by such properties, including the State Capitol, the Mississippi Supreme Court, and the Governor's Mansion, during Coalition actions on July 6, 8, 18, and 27, 2023. We plan for one or more of these actions to include walking on sidewalks, without blocking pedestrian traffic, along the east and south sides of the State Capitol; with a City of Jackson permit, we also plan to march in North Congress Street and have a rally in front of the Governor's Mansion. One or more of our protests will be take place by or pass by privately-owned properties and office buildings downtown which may be occupied by state government officials. I cannot tell by looking at them if they are, and I do not know how to find out.
17. BVM plans to, and wants to begin, helping to publicize future Coalition actions, including those listed above in July of 2023. During those, we plan to engage in protest activities that we have in the past; some are listed Paragraph 13.
18. The JXN Undivided Coalition has already created a digital flyer listing some of the protest and direct-action activities that we have planned for the month of July of 2023.
19. I have read the language of SB 2343 that requires us to obtain Commissioner Tindell or Chief Luckey's written authorization if we want to protest on a sidewalk or street beside a building owned by the state or occupied by state officials, or if we want to protest anywhere if movement into or out of such a building might be somehow hindered. I do not believe we should be required to obtain prior permission from them to protest. I believe the written permission requirement of SB 2343 is unconstitutional. I am concerned that if we do not comply with the requirement and do not obtain written permission and still exercise our right to protest, some or all of those who participate, including me, will be arrested, prosecuted, and convicted of a crime related to not complying. I am concerned that if we do not comply with this law, we could be arrested. In the future, we could also be prosecuted in the new CCID court and, if convicted, be sent to prison in Mississippi.
20. Because of these concerns, we have not yet begun to circulate the digital flyer that has been created to publicize the July 2023 protest events, which is critical for us as organizers to already be doing.

I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge.

Dated: June 3, 2023

Signature:

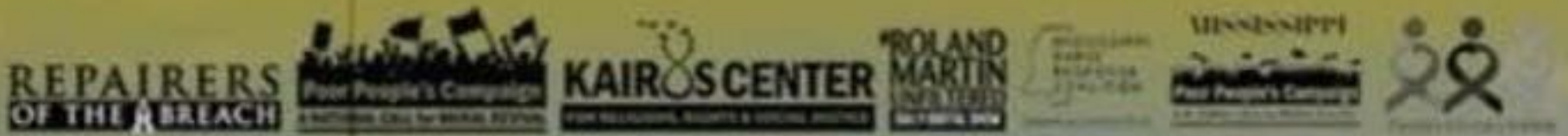
DocuSigned by:



061007000AEC3463

Devin Branch of Hinds County, Mississippi

Exhibit A



**FREE THE LAND, CLEAN THE WATER
& KEEP IT PUBLIC!**

**POOR PEOPLE'S CAMPAIGN
MISSISSIPPI MORAL MONDAY**



**LED BY NATIONAL CO-CHAIRS BISHOP WILLIAM J. BARBER II
& REV. DR. LIZ THEOHARIS**

OCTOBER 10TH, 2022

JACKSON, MISSISSIPPI MORAL MONDAY MARCH

STARTING POINT: SMITH ROBERTSON MUSEUM

528 BLOOM STREET | JACKSON, MS 39202

GATHERING 5:00PM CT | START 5:30PM CT

RALLY 6:00PM CT

DOWNTOWN JACKSON, MS

INTERSECTION OF CAPITOL ST & CONGRESS ST.

300 E. CAPITOL ST., JACKSON, MS 39201

CO-SPONSORS



MISSISSIPPI STUDENT WATER CRISIS ADVOCACY TEAM

WE'VE GOT THE TRUTH, WE'RE TIRED OF THE TRICKS!

Free the Land, Clean the Water & Keep it Public

POOR PEOPLE'S CAMPAIGN

MISSISSIPPI MORAL MONDAY



LED BY NATIONAL CO-CHAIRS
BISHOP WILLIAM J. BARBER II
& REV. DR. LIZ THEOHARIS; &
DANYELLE HOLMES, NATIONAL
SOCIAL JUSTICE ORGANIZER

OCTOBER 31, 2022



**JACKSON, MISSISSIPPI
MORAL MONDAY MARCH
GATHERING 4:00PM CT
START 4:30PM CT**

STARTING POINT:
SMITH ROBERTSON MUSEUM
528 BLOOM ST.
JACKSON, MS 39202

RALLY 5:00PM CT
DOWNTOWN JACKSON, MS
INTERSECTION OF CAPITOL ST.
& CONGRESS ST.
300 E. CAPITOL ST.,
JACKSON, MS 39201

Streaming live at poorpeoplescampaign.org/livestream



Clarion Ledger

NEWS

Moral Monday organizers call on Jackson residents to hold state accountable on water crisis

Ross Reily

Mississippi Clarion Ledger

Published 10:50 a.m. CT Nov. 1, 2022

More than 200 people came out on a cool and comfortable Halloween night in front of the governor's mansion to hear the Rev. William Barber make the case that the people of Jackson should do more to hold the State of Mississippi accountable for the water crisis that has engulfed the Capital City.

"You hold the power," Barber told the people from the stage of the latest in a series of events that have been called Moral Mondays. "Gov. Tate Reeves won his position by less votes than the number of registered voters in Jackson who did not vote."

This was the third Moral Monday that Barber, who is a pastor and co-chair of the Poor People's Campaign, has presided over in Jackson. Barber said it is likely the last rally he will hold in Jackson, at least for the foreseeable future.

The estimated 200 people in attendance was down from the nearly 250 people in attendance three weeks ago but more than the first Moral Monday rally held in Jackson in September.

More: JACKSON'S WATER HISTORY Jackson water crisis flows from a century of poverty, neglect and racism

More: LEAD IN WATER Clarion Ledger investigation for lead in Jackson water reveals broader issues. See results

“The State of Mississippi wants you to forget. They want you to move on just like they have moved on from you,” Barber said. “Gov. Reeves has moved on. He called a special session of the Legislature this week to bring a new business to the state, but he wouldn’t call a special session to handle the water crisis that is poisoning the people of Jackson. He has moved on.”

Those who marched through Jackson to attend the event brought bottles of what they said was cloudy Jackson tap water to deliver to the front steps of the governor’s mansion.

No one from the governor’s mansion came out to acknowledge the rally or collect the bottles.

In his previous Moral Monday, Barber said he fully expected his organization to file a fair housing lawsuit against the State of Mississippi before his organization's next rally in Jackson.

Instead, he read a letter he said had come from The Center for Constitutional Rights and Forward Justice.

In part, the letter read, “Forward Justice and the Center for Constitutional Rights proudly stand with partners at the Poor People's Campaign of Mississippi, the Rapid Response Coalition, and Jackson community residents as they demand community-driven solutions for a fully-funded and functioning public water infrastructure. Time and time again, majority Black and Brown low-income communities are left to suffer the devastating consequences of crumbling, outdated water infrastructure. These crimes against humanity are immoral and must stop! Forward Justice and Center for Constitutional Rights are steadfastly examining all potential legal intervention. We are dedicated to standing with this community’s commitment to hold Mississippi state actors accountable for intentionally depriving resources from the Community.”

The Moral Mondays are modeled after a series of events Barber set in motion in 2013, when he called on people in North Carolina, where he was then-president of the state's

NAACP chapter, to protest many state government policies that he saw as immoral based on how they impacted low-income people, including voting rights and healthcare policies.

"The goal is to nationalize a state problem," Barber said. "The battle for justice, in this case, for water safety in Jackson, can have national implications. The Montgomery bus boycott was a national issue, even though it was in Montgomery."

Barber hopes the movement in Jackson will be as successful as the one in North Carolina, which he said started with 17 people. Those rallies ended with 15,000 people marching.

In a press conference earlier in the day, Jackson Mayor Choke Antar Lumumba said the City of Jackson is in compliance with the Safe Drinking Water Act.

Lumumba said he was given the information by the Unified Command Group early Monday.

"That was certainly welcome news by the EPA," Lumumba said. "The EPA, in conjunction with the Mississippi Department of Health performed a series of tests on our drinking water over the last several months and revealed that our water is, in fact, safe to drink."

The lead and copper results, however, have not yet been released, but have been completed, according to Lumumba.

Despite that Barber said The Center for Constitutional Rights and Forward Justice will continue to push for what he called, "recognition of human rights abuses."

"This is about the impact on people's lives, regardless of their color," Barber said. "This is about more than just race. There are those who are disabled and sick who cannot fight for themselves and if Gov. Reeves cannot see that, then we have a lot more to talk about than just water."

Stop House Bill 1020

Press Conference

**AT THE STATE CAPITOL
(NORTHSIDE)
10 A.M.**



**A 30 Minute
Discussion**

**Free &
Open to
the Public**

**Tuesday
January
31st**

State Capitol
10:00 am
400 High St.
Jackson, MS 39201

PEOPLE'S
ADVOCACY
INSTITUTE



A NEW DAY COALITION FOR
EQUITY FOR BLACK
AMERICANS



Opposing House Bill 1020 on the steps of the Capitol



By Christopher Young,

Contributing Writer,



**Anti-HB1020 Rally at Mississippi Capitol – City of Jackson Mayor Chokwe Antar Lumumba at podium.
Photo BY CHRISTOPHER Young**

Push-back from members of the community, justice and advocacy groups, lawmakers and elected officials from the City of Jackson and Hinds County rallied on the Capitol steps Tuesday, January 31 at 10 a.m. against HB 1020 – which would create a separate judicial system for the Capitol Complex Improvement District (CCID) and expand the CCID to the northeast.

Danyelle Holmes of the Mississippi Poor People's Campaign and Rukia Lumumba of the People's Advocacy Institute led the press conference/rally of approximately 250 people in thirty-eight-degree weather and overcast skies.

Mayor Chokwe Lumumba indicated that this Bill (HB1020) "allows for a military force to be placed over the City of Jackson...taking the power out of the hands of the residents who elect the officials that have the authority to make decisions, such as our judges and places it in the hands of a Supreme Court that does not think the

same way that the people of Jackson think...it is colonization is what it is...and they would do this with your money; additional tax dollars that come out of the City of Jackson...the City stands strong with you and we will fight to the very end.” The Mayor also called out black contractors, saying “if you’re going to enjoy this black wealth, then you need to support this black city.”

Representative Edward Blackmon Jr. (D-57) harkened the crowd to “1961 when over 300 people walked the streets of Jackson and gathered at the fairgrounds for one thing – the right to vote. To hear the people back here behind us, this Bill is all about safety – that is not what it is about. No other residents are being asked to prop up a government within a government. I call this CCID district New Jack City – a city within a city. Once you get in the practice of taking away votes, then it’s not going to stop in Jackson, Mississippi.”

Brook Floyd, coordinator with Jackson People’s Assembly, spoke about “expanding the reach of the Capitol Police and creating a new court will not stop the violence. We have to get to the root – we know



Representative Edward Blackmon, Jr.



Danyelle Holmes, Miss. Poor People’s Campaign

this and all the research and evidence support this. Communities with fully funded education, healthcare, quality and affordable housing, and jobs with livable wages have lower incidences of violence. All these things our state has refused to fund.”

Rukia Lumumba never hesitates, “I’m talking about the elephant in the room – this is about race. HB1020 would require that over 18% of Jackson’s normal tax revenue be given to the CCID. The proposed expansion of the CCID goes into the residential northeast Jackson, miles



Paloma Wu, deputy dir., Impact Litigation at MS Center for Justice



Brook Floyd of Jackson People’s Assembly

from downtown, where the Capitol Police who have shot or killed numerous black people recently have no right or reason to be.” She reminded us that the plan calls for all key people to be appointed, not elected. “HB1020 is ruthless. It is an attack on our rights as people of this place, who love this place, who love our city and who love our state. It is dangerously anti-democratic, and it is something that must be stopped.”

A handout was distributed titled Jackson-based Groups Oppose Capitol Police, Expansion Bill. In part it reads, “Our coalition of Jackson organizations and residents is adamantly opposed to House Bill 1020. This bill is another unprecedented attempt to strip power away from the City of Jackson. We have opposed the state’s other attempts to undermine Jackson’s leadership during the attempt to take over the Jackson airport, school system and water system. We remain opposed. Our message to the state is simple: We support Black Leadership!



Bishop Dwayne Pickett holding map depicting proposed expansion of CCID.

“Additionally, we are opposed to the existence of Capitol Police, who have shot and/or killed several unarmed black men over the past year. We are also opposed to the section in HB1020 that would empower a slate of all-white Mississippi state officials to appoint unelected judges and unelected prosecutors in majority-black Hinds County. The Sheriffs’ duties of the new CCID judicial system would be carried out by the unelected Chief of the Capitol District Police.”

The handout listed needed programs such as credible messengers, more mental health workers, program to help engage youth, violence interruption programs – all with the goal of helping families in trauma and dealing with crime and mental health issues.

Supporters of this rally included Peoples Advocacy Institute, Mississippi Poor Peoples Campaign, Mississippi Prison Reform Coalition, Jackson NAACP, One Voice, Clergy for Prison Reform, MacArthur Justice Center, Mississippi Center for Justice, and A New Day Coalition for Equity for Black America (ANCEBA).

There were eighteen speakers in all over the course of the seventy-five-minute-long rally.

Rukia Lumumba reminded the crowd that the Hinds County District Attorney Jody Owens has spoken out against HB1020, as well as Hinds County judges, the Hinds County Legislative Black Caucus and all of Hinds County Board of Supervisors.

You could feel a sense of unity and determination flowing, perhaps summed up best by State Representative William “Bo” Brown, who was not one of the speakers, but numerous times throughout was heard shouting – “The day the City of Jackson came together.”



FOR IMMEDIATE RELEASE

Monday, February, 27, 2023

Contact: jxnundivided@gmail.com

**Press Conference to Discuss Public Safety and Democracy
Regarding House Bill 1020**

Jackson, MS - The Jackson Undivided Coalition is pleased to announce a press conference on Monday, February 27 at 3:30 pm to discuss public safety and democracy as it pertains to House Bill 1020 (HB1020). The press conference will be held in front of the Capitol and will include members of the JXN Undivided Coalition: Rukia Lumumba, Maisie Brown, Courtney Body, and Arkela Lewis, mother of 25-year old Jaylen Lewis who was murdered by Capitol Police officers.

HB1020 has been a contentious issue in the Jackson community, with proponents arguing that it will improve public safety and infrastructure, while opponents argue that it undermines democracy and concentrates power in the hands of a few.

At the press conference, the speakers will address the potential impact of the bill on public safety and democracy, and provide their perspective on the issue. Attendees will have the opportunity to ask questions following the remarks.

We welcome all media outlets to attend the press conference, and we encourage members of the public to attend as well. This is an important issue that affects us all, and we hope to have a productive and informative discussion.

Event Details:

What: Press Conference on Public Safety and Democracy Regarding House Bill 1020

When: Monday, February 27, 2023 at 3:30 pm

Where: The State Capitol Building, 400 High Street, Jackson, MS 39201

Jackson residents speak out against several bills that target the city

Caption

Credit

A coalition of citizen's rights activists are calling on Mississippi's legislature to block several bills that directly would affect the City of Jackson. These bills aim to address systemic problems in the city, but residents say it is at their expense.

Members of the Poor People's Campaign, Mississippi Votes, and other non-profit Jackson advocacy groups are calling on lawmakers to kill legislation that would grant the state more power over the city. The bills in question would reshape the judicial system for parts of Jackson, block the city from using a new water billing system, and give the state control over the troubled water system. Community activist Rukia Lumumba says all of these measures would hurt Jacksonians.

"So what we see here is amendments that continue to disrupt our democracy. Continue to threaten our current judicial process. And absolutely threatens our ability to have municipal police take care of public safety and municipal matters," says Lumumba.

One bill the activists claim can not be fixed is HB 1020 which is waiting to be taken up in the Senate. Senate lawmakers recently drafted an amendment to the bill that would eliminate language for a permanent inferior court, replacing it with temporary aid. But it also would expand jurisdiction for the Capitol Police Force. Jackson resident Arkela Lewis says her son, Jalen Lewis, was killed last year by Capitol Police and is still waiting on answers.

Lewis says "It hurts for my son to have lived here and been a resident here, and get killed by a police task force that [the governor has] put together to kill my son. And I have no reason, and nobody has said anything."

Many of these bills that target Jackson were authored by lawmakers who do not live or have constituents in the capital city.

MISSISSIPPI BVM DAY AT THE CAPITOL

MARCH 14 | 8:00 AM - 11:30 AM CT

FIRST FLOOR ROTUNDA

400 High Street, Jackson, MS 39202

Join us for BVM Day at the Capitol in Jackson, Mississippi! Let's urge legislators to reject HB1020, a proposed bill that threatens the majority Black city of Jackson by taking away their voice and resources.

It's time to demand that lawmakers address the needs of Jackson's residents and protect their political power.

**BACK
VOTERS
MATTER**

Black Voters Matter protests against HB 1020

JACKSON, Miss. (WLBT) - A national advocacy group and local leaders gathered today at the State Capitol to urge lawmakers to vote no on House Bill 1020.

Arguably the most talked about bill this legislative session, House Bill 1020, continues to spark protests.

Black Voters Matter and other supporters of killing House Bill 1020 came to the capitol today to show their opposition to the bill.

"Our rights are under attack. What are we gonna do? Stand up, fight back."

Black Voters Matter says they are dedicated to keeping Black voters and their issues at the forefront of the election process.

The issue they're tackling right now? **House Bill 1020.**

"Mississippi is always the test case by the rest of the country. So we need everybody around this country to pay attention to what's going on in Mississippi."

The organization believes that HB 1020 is a hostile takeover attempt by the state and that Jackson's citizens are not being considered.

"And now we have folks in that do not live in Jackson, and do not live in Hinds County that see fit to try to take those powers away from the elected officials. You can't have that kind of hypocrisy and call yourself a child of God. You cannot make legislation that discriminates against people based on

race. That is a violation of the law. And you know it."

Many lifelong Jacksonians stepped up to the mic and offered their thoughts on the bill and the people who support it.

"But we have to come to the table and create a solution around safety that actually meets all of our needs. And not just some of us. We're not attacking you because you want to be safe. We're telling you that we want to be safe, too, and what you're doing now through these bills is not going to keep us safe. If only some of us are kept safe, then it is not enough."

To learn more about the most updated version of HB1020, click [here](#).

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